

## Memorandum



City of Seattle  
Jenny A. Durkan, Mayor

**Date:** February 1, 2018  
**To:** Wayne Barnett, Executive Director Seattle Ethics and Elections Commission  
**From:** Ian Warner, Legal Counsel to the Mayor's Office, 684-5452  
**Subject:** **Kylie Rolf, Director of Major Initiatives** - Request for Waiver  
Waiver Period: May 12, 2017 to May 12, 2018

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### Background

Mayor Durkan appointed Kylie Rolf as the Director of Major Initiatives for the Mayor's Office on November 28, 2017. Prior to her City of Seattle ("City") employment, Ms. Rolf was employed at Sound View Strategies ("Sound View") as the Public Affairs Director. She terminated her employment with Sound View on May 12, 2017.

As Public Affairs Director at Sound View, Ms. Rolf's role focused on coalition building, providing communications support, government relations expertise and strategic planning. She worked on delivering specific tasks and outcomes in the client's scope of work and contract. In her new role as Director of Major Initiatives, we expect Ms. Rolf may need to participate in matters that involve several of her previous clients, which is the purpose of requesting this waiver.

It is my understanding based on SMC 4.16.070.A.2, past advisory opinions issued by the Seattle Ethics and Elections Commission ("SEEC"), as well as your advice that if a waiver is approved, Ms. Rolf will be able to participate in current matters that involve her prior firm and clients during the waiver period. For any future and unanticipated matters involving her prior firm or clients, Ms. Rolf will request an additional waiver, when and if, such matters arise.

### Rationale For Request for Approval of Waiver

SMC 4.16.070.A.2 states, in relevant part:

A City employee may not "participate in a matter in which a person that employed the covered individual in the preceding 12 months, or retained the covered individual or his or her firm or partnership in the preceding 12 months, has a financial interest; provided, however, that the Executive Director shall waive this section when:

- a) the covered individual's appointing authority or the authority's designee makes a written determination that there is a compelling City need for the covered individual to participate in a matter involving a prior employer or client, and submits that determination with a written plan showing how the authority will safeguard the City's interests, and

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- b) the Executive Director determines that the authority's plan is satisfactory.

Ms. Rolf is a member of the Mayor's Executive team. Her role as Director of Major Initiatives involves many of the Mayor's highest priorities and encompasses participation in strategy meetings that may potentially involve her previous clients. Specifically, there are current and on-going matters involving Ms. Rolf's prior clients - Lyft, Puget Sound Energy, Airbnb, Space Needle Corporation, Comcast and Seattle for All – that have been determined by the Mayor's Office may require Ms. Rolf's participation as Director of Major Initiatives. Specifically, Ms Rolf's participation will likely include the following interactions with those clients:

- Coordinating and executing external relations, outreach and community events
- Participating in strategic planning and outreach
- Facilitating stakeholder engagement efforts
- Coalition or advisory group building

***Why is it in the best interest of the City for Ms. Rolf to be involved in these issues identified as potential areas of conflict of interest?***

Ms. Rolf will be leading and coordinating complex policy initiatives that will involve robust participation from both internal and external stakeholders. She will need to have the flexibility to have strategic conversations with a variety of external individuals, organizations and businesses to advance the Mayor's priorities. Her specific skills, technical expertise and work experience with the issues involving her prior clients bring unique benefits to her City role that in the short- and long-term will provide a great benefit to the city of Seattle.

***What measures will the Mayor's Office implement to protect the City's interest in this case?***

The Mayor's Office has a plan to recuse and delegate her responsibilities to Senior Deputy Mayor Mike Fong if any current or reasonably foreseeable matters arise that involve Sound View or her prior clients. An internal memo has been drafted that include the following measures to address any potential conflict of interests:

1. Any direct consultant services selection, final decisions on changes in scope of work, budget or schedule on existing or future contracts with her prior clients or prior employer will be performed by other City staff, and specifically vetted by myself or Senior Deputy Mayor Mike Fong.
2. Ms. Rolf will recuse herself from conversations, meetings or negotiations related to bids submitted by her prior clients or prior employer.
3. Any agreements with prior clients or prior employer that need to be negotiated, revised or otherwise modified will be completed and executed by Senior Deputy Mayor Mike Fong.

In addition, Ms. Rolf will recuse herself from any direct discussions with her prior employer or clients concerning policy decision-making involving Lyft, Puget Sound Energy, Airbnb, Space Needle Corporation, Comcast and Seattle for All. Provided that, given Ms. Rolf's important role in the Mayor's Office, she will continue to be involved in general policy discussions related to the City's overall external relations and outreach needs. This plan will remain in effect until the required 12-month period since her separation from Sound View, which is May 12, 2018.

cc: Kylie Rolf (via email)  
Monica Martinez Simmons, City Clerk